

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

COLBY GOROG, JOSHUA FLINT,  
LOUIS ROBINSON, and MICHAEL  
LERRO, individually and on behalf of all  
others similarly situated,

Plaintiffs,

v.

ELON MUSK and TESLA, INC.,

Defendants.

Civil Action No.: 1:22-cv-05037-AKH

ECF CASE

**NOTICE OF MOTION TO DISMISS  
PLAINTIFFS' FOURTH AMENDED COMPLAINT**

PLEASE TAKE NOTICE that upon the accompanying memorandum of law in support thereof, and all prior pleadings and proceedings herein, Defendants Elon Musk and Tesla Inc., by their undersigned counsel, will move this Court on a date and time to be designated by the Court, before the Honorable Alvin K. Hellerstein, United States District Judge for the Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, pursuant to Federal Rule of Civil Procedure 12(b)(6), for an Order dismissing the Fourth Amended Complaint and any other and further relief the Court deems just and proper.

Dated: March 1, 2024  
New York, New York

Respectfully submitted,

*/s/ Alex Spiro*

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